

SPLC REPORT

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Minority children suffer from hate rhetoric in presidential campaign

Every four years, educators across the country look to the presidential election for teachable lessons about the electoral process, democracy, government and the responsibilities of citizenship.

But this year is starkly different than any in recent memory.

The SPLC surveyed approximately 2,000 teachers and found that the campaign is producing an alarming level of fear and anxiety among children of

color, and inflaming racial and ethnic tensions in classrooms across America.

Many students have been emboldened by the divisive, often juvenile, rhetoric in the campaign. Teachers have noted an increase in bullying, harassment and intimidation of students whose races, religions or nationalities have been the verbal targets of candidates on the campaign trail.

The SPLC reported the findings in a report – *The Trump Effect: The Impact of the Presidential Campaign on our Nation's Schools* – released in April.

“We’re deeply concerned about the level of fear among minority children who feel threatened by both the incendiary campaign rhetoric and the bullying they’re encountering in school,” said SPLC President Richard

Cohen. “We’ve seen Donald Trump behave like a 12-year-old, and now we’re seeing 12-year-olds behave like Donald Trump.”

The online survey, conducted by the SPLC’s Teaching Tolerance project from March 23 to April 2, is not scientific. But it provides a rich source of information about the impact of this year’s election on the country’s classrooms.

‘Students are terrified’

The data, including 5,000 comments from educators, shows a disturbing nationwide problem, one that is particularly acute in schools with high concentrations of minority children.

- More than two-thirds of the teachers reported that students – mainly immigrants, children of immigrants and Muslims – have expressed concerns or fears about what might happen to them or their families after the election.

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CAROLYN KASTER/AP IMAGES

Hundreds of teachers from across the country reported that their students fear what might happen to them and their families after the presidential election. While the SPLC survey did not mention any candidates by name, more than half of all comments cited Donald Trump.

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SEEKING JUSTICE

SPLC complaints lead to ethics trial for Alabama chief justice

MONTGOMERY, Ala. – Alabama Chief Justice Roy Moore could be removed from office for a second time as the result of judicial ethics complaints filed by the SPLC after he ordered county officials to defy the federal judiciary and deny marriage licenses to same-sex couples.

Ruling on the SPLC complaints in May, the Alabama Judicial Inquiry Commission announced the filing of six ethics charges against Moore, setting up a trial in the Alabama Court of the Judiciary.

The commission wrote in its complaint that Moore had “flagrantly disregarded and abused his authority.”

‘Disgraced his office’

In a series of bizarre rulings and administrative directives, Moore sought to continue enforcing Alabama’s ban on same-sex marriage even after a federal district court ruled it unconstitutional and even after the U.S. Supreme

Court held in June 2015 that “same-sex couples may exercise the fundamental right to marry in all States.”

SPLC President Richard Cohen said Moore was simply unfit to hold the state’s highest judicial office.

“Moore has disgraced his office for far too long,” Cohen said. “He’s such a religious zealot, such an egomaniac that he thinks he doesn’t have to follow federal court rulings he disagrees with. For the good of the state, he should be kicked out of office.”

Moore has deep ties to Christian right organizations and is the founder of the Alabama-based Foundation for Moral Law, which his wife now operates.

He was removed from the bench in 2003 in response to an SPLC ethics complaint after he refused to comply with a federal court order to remove a Ten Commandments monument that he installed in the state judicial building. He was re-elected to the post, however, in 2012.

In the current case, Moore was suspended from his position pending a trial later this year. If the court finds him guilty, he could be permanently removed from office, though the court could levy lesser sanctions.

Cannot be trusted with the law

The SPLC complaints alleged that Moore advised state judges to violate a binding federal court order; repeatedly commented on pending cases; undermined the public’s confidence in the integrity of the judiciary by denigrating the federal courts and threatening to defy them; and improperly lent the prestige of his office to the Foundation for Moral Law.

“Moore swore to uphold the United States Constitution,” Cohen said. “But he has demonstrated in the past, and now once again, that he is willing to put aside the law when it conflicts with his personal religious beliefs. He cannot be trusted to be an impartial arbiter of the law.”

Morris Dees receives King Center’s highest honor

ATLANTA – The Martin Luther King Jr. Center for Nonviolent Social Change gave its Peace Prize to SPLC Founder Morris Dees during a ceremony in Atlanta on April 4, the 48th anniversary of Dr. King’s assassination.

“I’m deeply honored to receive this award,” Dees said. “Like millions of other people, I was inspired by Dr. King to

do my part in the struggle for equality. When we started the Southern Poverty Law Center in 1971, our goal was simple: We would use the courts to help ensure that the promise of the new civil rights law would become a national reality. I’m thankful that, with the support of many dedicated colleagues and passionate supporters, we’ve been able to make a difference.”



Southern Poverty Law Center Founder and Chief Trial Counsel Morris Dees accepted the Martin Luther King Jr. Nonviolent Peace Prize on April 4 from Bernice King, CEO of The King Center and daughter of the slain civil rights leader.

CONTRIBUTED

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The Southern Poverty Law Center is dedicated to fighting hate and bigotry and to seeking justice for the most vulnerable members of our society. Using litigation, education, and other forms of advocacy, the SPLC works toward the day when the ideals of equal justice and equal opportunity will be a reality. The SPLC also sponsors the Civil Rights Memorial, which honors the memory of individuals who died during the civil rights movement.

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A MESSAGE FROM SPLC PRESIDENT RICHARD COHEN

Hate spectacle affects minority kids

Many years ago, the radio and TV host Art Linkletter had a popular feature called “Kids Say the Darndest Things.” Linkletter would ask a child a question and the child would respond in a funny or cute way.

The one instance I remember best had to do with a presidential campaign. (I’m dating myself here, but my guess is that it was in 1964.) Linkletter asked a child if he were a Republican or Democrat. “I’m a Christian!” the child responded.

I was reminded of it recently when we surveyed classroom teachers who receive our Teaching Tolerance materials, asking them about the impact of the current presidential campaign on their classrooms (see story page 1). It turns out that today’s children are also saying the darndest things.

But what they’re saying isn’t funny. It’s disturbing.

Increase in racial aggression

Many of the teachers who wrote comments in our online survey said they’re seeing fear and anxiety among children of color. One black student, for example, was told, “that if Trump is elected he is going to shoot all of the black people.”

Another wrote, “I had to calm a student of Arab [descent] who was in tears and is afraid of what the outcome means for her and

her family. Another Muslim student is in fear of a war between America and his country and has expressed concerns about retaliation and even similar events [to] the Holocaust taking place.”

What’s perhaps even more alarming is that many teachers are reporting an uptick in the bullying and harassment of children from minority families, along with a general decline in civil behavior that they attribute to the campaign.

“I’m hearing n----r from first graders,” wrote one teacher. Another said, “Students are calling others ‘Un-American’ if they do not hold the same political beliefs.”

It’s no surprise that children are mirroring what they’re hearing and seeing in adults. Anybody who’s been around children knows they’re highly impressionable. It’s why we started our Teaching Tolerance project in the first place – to reach young minds with anti-bias lessons to counter prejudice they learn from adults and other children.

Right now, we’re deeply concerned about the lessons that children may be absorbing from the campaign.

Many commentators have noted that Donald Trump has tapped into a deep pool of resentment against immigration, particularly among white working class people. It’s part of a backlash to our country’s growing diversity, exacerbated by widespread economic dislocation due to globalization and advancing technology.

Scapegoating continues

In times like these, there’s always the danger that minorities will be blamed for economic problems, such as the loss of blue-collar jobs in some sections of the country. Across Europe, we’re seeing the rise of far-right, nationalist parties that have gained real political power. What these parties have in common is the scapegoating of immigrants.

We’re not quite as far along yet in the United States. But the danger is very real. Our political system has been growing ever more polarized for the past two decades, and the racial “dog whistles” that have long been used to exploit racial animus are now being heard loud and clear.

While our survey of teachers found plenty of gloom, it’s

apparent that at least some children are rejecting bigotry.

“My students are horrified at the spectacle of the Republican candidates shouting insults and insulting American citizens,” wrote one teacher. Another said that in student essays an “overwhelming number” of children wrote “in opposition to Donald Trump and cited his rhetoric as inflammatory and racist.” And then there was this comment: “Increasing numbers of my students are referring to the presidential candidates as dangerously acting like children overcome by unrealistic fears.”

Civic participation is key

It’s not only the children who are pushing back. The ugly campaign rhetoric is galvanizing their parents, grandparents and other adults in their communities to make their voices heard. News reports suggest that Muslims and Latinos are registering to vote in larger numbers than seen in recent years.

Muslims, in particular, have historically registered at much lower rates than Jews, Protestants and Catholics. But now, organizers are finding fear to be a powerful motivator for mobilizing the Muslim community.

Personally, I’d rather people vote their hopes rather than their fears. But whatever it takes, our country is strongest when everyone participates.



Richard Cohen

MAILBOX

I was raised as a Christian and find that Chief Justice Roy Moore of the Alabama Supreme Court profanes the sanctity of the scripture held dear by the faithful. My Christianity, nor anyone else’s religion, has no business influencing the laws of this country. [I’m appalled by] his insistence of trying to maintain the Ten Commandments, and now trying to force some profane interpretation of the Bible. ... Thank you for your work on this and the many other issues. It is just a crying shame it takes organizations like yours to ensure that all Americans receive justice, not just those who can afford to buy it.

J.W.
Dearborn Heights, Michigan

I watched “Welcome to Leith” on PBS the other night. It was a very disturbing program, but the Southern Poverty Law Center played a big part in knowing who these white supremacists were, having followed them for years. I hope there will be a sequel, and that their land will be taken away from them, as with the Aryan Nations in Hayden Lake,

Idaho. I have been a member of the SPLC for years and really appreciate all the work that you do. Thank you.

M.P.
Mercer Island, Washington

Congratulations to Mr. Dees for receiving the Martin Luther King Jr. Nonviolent Peace Prize. You are doing the work of angels. In fighting against hate, you are fighting for love, and that is what life is all about. Congratulations and thank you for being a light in the darkness.

L.U.
Trenton, New Jersey

Thank you for the good news of your good work. If only people who do these painful things worked as hard doing good. Thank you for helping all of us by helping some of us.

L.T.
Liverpool, New York

Your “Trump Effect” report arrived at just the right time. I sent it to a number of friends who work in schools, also some friends in Europe who are concerned about what’s going on

in the U.S. One friend, who teaches in western Michigan, said that the same day I sent the report the president of her university expressed concern over the rise of hate speech on campus. She sent him your report immediately and gave him some guidelines about what the campus can do.

E.L.
Ann Arbor, Michigan

I am thrilled to learn that Morris Dees was awarded the Martin Luther King Award for work he has given himself to for so many years. May it encourage and inspire him to continue to fight prejudice and ignorance and pursue justice for years to come. He is an inspiration to us all, and a reminder that justice requires the commitment of a lifetime, individual by individual.

P.S.
Pomona, California

I just watched [Intelligence Project director] Heidi Beirich on the NewsHour and wow — so impressive. Her explanation of the past and future trends was fascinating. I’ve donated

to your organization for the first time. Thank you, Heidi, and the SPLC for the important work you do.

P.M.
Urbandale, Illinois

The SPLC is about the only thing lately that makes me proud to be American. As an American living abroad, I am so deeply embarrassed by Trump and so horrified by the hate and violence that is rife on the right, that I am sometimes relieved to be in England now.

R.S.
Kettering, United Kingdom

I have admired your work since that fateful murder in Portland, Oregon, many years ago and the SPLC’s subsequent court victory for the family. I have celebrated each victory with you since then. Sadly, each “victory” is accompanied by many brush fires. Education to recognize the many different faces of hate is essential, as is the day-to-day fight for justice. You have many more supporters than you realize.

J.M.S.
Westfir, Oregon

Presidential campaign fueling fear

From page 1

- More than half observed increasingly uncivil political discourse.

- More than one-third have seen an increase in anti-Muslim or anti-immigrant sentiment.

- Almost half are hesitant to teach about the election.

While the survey did not identify particular candidates, more than 1,000 comments mentioned Donald Trump by name. In contrast, a total of fewer than 200 contained the names Ted Cruz, Bernie Sanders or Hillary Clinton. More than 500 comments used the words “fear,” “scared,” “afraid,” “anxious,” or “terrified” to describe the campaign’s impact on minority students.

The report and all of the teacher comments are posted on the SPLC website at www.splcenter.org.

“My students are terrified of Donald Trump,” wrote a teacher from a middle school with a large population of African-American Muslims. “They think that if he’s elected, all black people will get sent back to Africa.”

In Tennessee, a kindergarten teacher said one Latino child – told by classmates that he will be deported and kept from returning home by a wall – asks every day, “Is the wall here yet?”

Educators, meanwhile, are perplexed and conflicted about what to do.

They report being stymied by the need to remain nonpartisan but disturbed by the anxiety in their classrooms and the lessons that children may be absorbing from this campaign.

“Schools are finding that their anti-bullying work is being tested and, in many places, falling

apart,” said Teaching Tolerance Director Maureen Costello, author of the report. “Most teachers seem to feel they need to make a choice between teaching about the election or protecting their kids. In elementary school, half have decided to avoid it. In middle and high schools, we’re seeing more who have decided, for the first time, not to be neutral.”

SPLC offers guidance, tools

The long-term impact on children’s well-being, their behavior or their civic education is impossible to gauge.

The SPLC urged educators to use instances of incivility as teaching moments, and to support children who are hurt, confused or frightened.

Teaching Tolerance released a set of online resources to help teachers who choose to navigate this difficult terrain.

FIGHTING HATE

SPLC study finds 1,500 government-backed Confederate tributes

In the wake of last summer’s white supremacist massacre in Charleston, political leaders across the South were besieged with calls to remove the Confederate flag and other Confederate symbols from public spaces.

But there was no comprehensive database of such symbols, leaving the extent of Confederate iconography supported by public institutions largely a mystery. The SPLC quickly launched a study to catalog them.

Undermines equality

In April, the SPLC released *Whose Heritage? Public Symbols of the Confederacy*, a report listing 1,503 examples of monuments and statues; flags; city,

county and school names; lakes, dams and other public works; state holidays; and others that honor the Confederacy.

The vast majority are in the 11 states that formed the Confederacy, but some are found as far away as California.

“Public governmental displays of Confederate monuments and other symbols undermine the promise of equality that’s the basis of our democracy,” said SPLC President Richard Cohen. “The argument that these tributes represent Southern ‘heritage’ ignores the heritage of African Americans whose ancestors were enslaved by the millions and later subjected to decades of oppression.”

The study identified:

- 718 monuments and statues, nearly 300 of which are in Georgia, Virginia or North Carolina;
- 109 public schools named for Robert E. Lee, Jefferson Davis or other Confederate icons;
- 80 counties and cities named for Confederates;
- 9 official Confederate holidays in six states;
- 10 U.S. military bases named for Confederates.

The South even has its own version of Mount Rushmore – the Confederate Memorial Carving, a three-acre, high-relief sculpture depicting Jefferson Davis, Robert E. Lee and Thomas “Stonewall” Jackson on the face of Stone Mountain near Atlanta.

The report includes a state-by-state list, but excludes nearly 2,600 Civil War battlefields, museums, cemeteries and other places or symbols that are largely historical in nature.

The report found that the creation of Confederate displays spiked at the beginning of the Jim Crow era and again in response to the civil rights movement.

“In many cases, preserving history was not the true goal of these displays,” Cohen said. “Rather, they were part of an effort to glorify a cause that was manifestly unjust – a cause that has been whitewashed by revisionist propaganda.”

The SPLC report, which can be read at www.splcenter.org, includes a guide to help communities organize to remove these symbols from public spaces and place them in museums or similar venues where a full account of the history can be provided.

INTELLIGENCE BRIEFS

Death threats hindered prosecutors in Bundy case

LAS VEGAS, Nev. – Federal prosecutors say they are receiving death threats that are now affecting how much information they’re willing to release to the public about the April 2014 standoff between federal agents and armed militiamen supporting rancher Cliven Bundy in the Nevada desert.

A social media post appeared to call for a “lone wolf” attack on the prosecutor, and prosecutors cite the June 2014 slaying of two Las Vegas police officers as an example of violence committed by Bundy family followers.

The death threat against the prosecutor was made May 10 after a judge refused to free Peter Santilli, an extremist radio host who is one of the 19 defendants in the case.

The Facebook post stated, “Remember the name [of the government attorney] ... it will be a joy to see this treasonous Nazi hang or burn for treason ... or to read about the lone wolf attack that put this rabid dog down for a dirt nap.”

The case involves heavily armed militiamen who aimed their rifles at Bureau of Land Management officials who were attempting to round up Bundy’s cattle to satisfy a court ruling. Bundy, also indicted, has refused to pay more than \$1 million he owes for grazing his cattle on government lands for decades. He claims the federal government is not a legitimate entity, a stance that drew militia extremists from across the country to defend him.

Militia activist arrested on gun charges

JOHN DAY, Ore. – Michael Ray Emry, an antigovernment militia activist involved in the takeover of the Malheur National Wildlife Refuge, was arrested May 6 in Oregon on federal charges of possession of a machine gun and a firearm with an obliterated serial number.

Emry admitted to destroying the serial number after stealing the machine gun from a business in Boise, Idaho.

He was arrested May 6 in the town of John Day in Grant County, where the current sheriff is a member of the Constitutional Sheriffs and Peace Officers Association.

In a jail interview, Emry told *The Oregonian* that “he was known as the ‘Picasso of machine guns’ and was a self-taught bomb maker” whose regular job was repairing car transmissions.

Seventeen years ago, Emry was arrested for making 66 illegal machine guns and a deadly plastic explosive bomb. He wasn’t prosecuted for those crimes after he testified for the federal government.

“All of these people have died standing for their principles,” Emry testified in the trial. “Lord forbid I ever have to pull a gun on a law enforcement officer,” he said, adding, “I may have to if they start breaking the Constitution and the oaths that they upheld.”

Skinhead wins re-election to Pennsylvania county seat

LUZERNE COUNTY, Penn. – Longtime racist leader Steve Smith was elected to a Republican Party county committee for a second time April 27.

Smith, 45, won 69 of the 73 votes cast for the Pittston City Ward 1 Republican Committee seat. He was quick to share his victory on Stormfront, the largest white supremacist online forum.

Recruited into the neo-Nazi movement in the 1990s, Smith has been active in an array of white nationalist, skinhead and neo-Nazi groups.

He co-founded the Pennsylvania racist skinhead group Keystone United (formerly Keystone State Skinheads) in 2001, one of the largest and most active single-state racist skinhead crews in the country.

White supremacists arrested in LA hate crimes

LAKE LOS ANGELES, Calif. – Three white supremacists were arrested Feb. 28 after shouting racial slurs at Hispanic people in a public park.

After another nearby family tried to intervene, the white supremacists pulled out knives and attempted to attack them.

Deputies said the suspects screamed numerous racial slurs and that the Confederate flag was present during the incident, which occurred within hours of violence erupting at a Klan rally in Anaheim.

Protestors clashed with Klan members at that rally, where 13 people were arrested. One witness said the Klansmen were “swarmed” by the protestors. Fighting broke out moments after Klan members exited their vehicles, and witnesses said they used the point of a flagpole as a weapon while fighting with protestors.



South Carolina removed the Confederate flag from its Capitol grounds in July 2015, days after white supremacist Dylann Roof murdered nine worshippers in a historic African-American church.

TUSCALOOSA NEWS



Southern Poverty Law Center staff members help University of Alabama student Samantha Rubinchik register to vote during a "Get Out The Vote" rally, which was organized by the school's SPLC On Campus chapter in February.

SPLC on Campus clubs fight hate and bigotry nationwide

TUSCALOOSA, Ala. – SPLC on Campus clubs have taken off following the program's September start, reviving social activism among students who are pursuing higher education.

Twenty-one colleges across 13 states have started SPLC on Campus clubs.

The SPLC provides free resources, information and guidance to help engage young people in four areas of focus: economic justice, juvenile justice, LGBT rights and civil rights history in the American South.

In the last academic year, SPLC on Campus clubs have hosted screenings of Teaching Tolerance documentary films; started dialogues about Confederate symbols on campus, LGBT rights, voting rights, sexual assault on campus and other topics; and volunteered in local schools.

Capitalizing on the intense engagement of college students in the 2016 presidential campaign, SPLC on Campus developed the *Register. Show Up. Vote 2016* campaign, which featured "I'm Voting Because" signs on social media to inspire young people to action.

Clubs focus on voter drives

Clubs at Vanderbilt, the University of New Orleans, the University of North Georgia and others have conducted voter registrations on their campuses.

Students from the Auburn University club partnered with the East Alabama League of Women Voters to register local high school seniors there, and registered more than 200.

For more information on SPLC on Campus clubs or to register your group, visit www.splconcampus.org.

Louisiana repeals discriminatory voting law after SPLC sues

BATON ROUGE, La. – Less than a month after the Southern Poverty Law Center filed suit over a state law that discriminated against naturalized citizens registering to vote, Louisiana Gov. John Bel Edwards has signed legislation repealing the law – effectively resolving the lawsuit.

The bill, signed in May, immediately repeals a statute that required naturalized citizens to provide proof of their U.S. citizenship when registering to vote, a requirement that was not asked of U.S.-born voters who simply had to swear that they are citizens.

The SPLC has withdrawn its lawsuit.

State moved swiftly to repeal unconstitutional law

Voter registration drives thwarted by the statute will resume in communities with many naturalized citizens, such as the Vietnamese-American, Latino and Muslim communities in the greater New Orleans area.

"The governor's action means that naturalized citizens will no longer be treated like second-class citizens when they register to vote in Louisiana," said Naomi Tsu, SPLC deputy legal director. "We are pleased that the state moved swiftly to ensure all voters have equal access to the ballot box."

Louisiana law requires all registrants to swear they are citizens when completing voter registration forms. Under the repealed statute, however,

naturalized citizens would later receive a letter demanding that they provide proof of citizenship, such as a certificate of naturalization or a U.S. passport.

Forms made no mention of documentation requirement

Notice of the requirement was nonexistent or buried. The state's voter registration form did not state that naturalized citizens must provide documentation. The website for

"Naturalized citizens will no longer be treated like second-class citizens."

Louisiana's secretary of state also failed to mention the requirement.

The obstacles created by the requirement prevented many people from voting for decades and, most recently, in the 2016 presidential primary.

The lawsuit, filed on May 4, described how the requirement violated the equal protection clause of the 14th Amendment by singling out naturalized citizens.

It also violated Title III of the Civil Rights Act of 1964 and the National Voter Registration Act.

Voters faced discrimination

The SPLC filed the lawsuit on behalf of three naturalized citizens who attempted to register to vote a collective eight times but were prevented by this requirement, and VAYLA New

Orleans, a nonprofit organization that has attempted to register voters.

Since its founding, VAYLA faced significant difficulties as it sought to register naturalized citizens and help them comply with the onerous requirement to provide citizenship documentation.

There are approximately 72,250 naturalized citizens living in Louisiana.

"Naturalized citizens in Louisiana have been disenfranchised by this outdated statute for too long," said Minh Nguyen, executive director of VAYLA. "This is a step forward in ensuring that all people have access to meaningful opportunities for civic engagement and the electoral process."

Systematic discrimination no longer an obstacle for voters

The repeal of the statute will also enable PUENTES/LatiNOLA, a Latino community group, to register far more of their members.

"Registering to vote is the culmination of a long and exciting road towards U.S. citizenship for many American immigrants," said Carolina Hernandez, PUENTES/LatiNOLA executive director. "By repealing this discriminatory requirement, Louisiana is no longer systematically blocking U.S. citizens from exercising their most fundamental right as citizens: voting."

The Fair Elections Legal Network was co-counsel.

SPLC report: Conversion therapy a dangerous fraud

Conversion therapy survivors are featured in a Southern Poverty Law Center report released in May that exposes the bizarre history of this "therapy" and the practitioners who promote widely discredited notions that endanger and stigmatize the LGBT community.

The report, *Quacks*, examines the revelations that emerged from the recent SPLC lawsuit that shut down a New Jersey-based "therapy group" named JONAH after a jury found the organization's practices violated that state's consumer fraud law.

'Same old snake oil'

Rather than change a person's sexual orientation, conversion therapy often results in patients experiencing depression, suicidal thoughts and an array of self-destructive behaviors as they struggle and fail to "convert," according to the report.

It also can foster anti-LGBT prejudice by promoting the belief that LGBT people are simply choosing a behavior that can be "fixed."

"Conversion therapy has a long, sordid history of hurting people and validating anti-LGBT bigotry," said SPLC Senior Fellow Mark Potok, the report's author. "Modern-day conversion therapy is just the same old snake oil in a new bottle. They may not be using the extreme practices of the past, such as shock treatment or castration, but these 'therapists' have no legitimate scientific basis for their claims. They're quacks."

The report recommends that states and localities ban the provision of conversion therapy to minors.

Such laws have already been adopted in California, Illinois, Oregon, New Jersey, Vermont and Washington, D.C.

SPLC FILES FEDERAL FRAUD COMPLAINT AGAINST CONVERSION THERAPY GROUP

RUCKERSVILLE, Va. – A Virginia-based group is committing consumer fraud by offering services it claims can convert people from gay to straight – a deceptive practice that the Federal Trade Commission (FTC) must stop, according to a federal complaint the SPLC and other groups filed in February.

The complaint urges the FTC to investigate People Can Change (PCC) under Section 5 of the Federal Trade Commission Act, which prohibits unfair and deceptive acts and practices.

"Conversion therapy is a harmful scam based on junk science – end of story," said Scott McCoy, SPLC senior staff attorney. "Groups such as People Can Change are nothing more than modern-day snake oil salesmen. They prey upon vulnerable people with bogus claims that they can change someone's sexual orientation."

Conversion therapy has been discredited by virtually every major American medical, psychiatric, psychological and professional counseling organization. Many who have undergone such therapy have reported increased anxiety, depression and in some cases, suicidal ideation.

The SPLC recently released *Quacks*, a report that examines conversion therapy and the junk science behind it (see related story on this page).

Last year in a landmark SPLC trial, a jury unanimously found that New Jersey conversion therapy provider JONAH had violated the state's consumer fraud law. Despite a jury finding that JONAH had "engaged in unconscionable commercial practices" – including referring clients to PCC for services – PCC continues to operate in largely the same manner as before the JONAH trial.

During the trial, JONAH clients described how they endured disappointment, frustration and depression as therapy failed. JONAH's treatment strained family relationships for some men, leading them to blame family members for their sexual orientation.

"I wouldn't wish it on my enemy," SPLC client Benjamin Unger testified. "It was very harmful. It made me very depressed, and people have a right to know about it."

Five states and the District of Columbia have enacted laws banning conversion therapy for minors. In addition, the governor of New York has used executive action to adopt regulations to protect young people.

The Human Rights Campaign and the National Center for Lesbian Rights joined the SPLC in filing the complaint. Law firm Cooley LLP served as counsel to the groups.

Prison conditions to improve for Alabama inmates with disabilities

BIRMINGHAM, Ala. – As prisoners evacuated Kilby Correctional Facility during a fire in 2014, a wheelchair-bound inmate in the Alabama prison faced a daunting challenge: reaching the wheelchair-accessible exit.

To reach it, he had to maneuver against the flow of prisoners to go *deeper* into the prison to reach the exit. The same month, the prisoner found himself without any assistance as the prison was evacuated for a gas leak.

It's just one example of the discrimination that prisoners with disabilities have long faced in Alabama's prisons – penitentiaries where systemic indifference and even life-threatening conditions are the norm.

But now, the Alabama Department of Corrections

(ADOC) has agreed to a plan to ensure that prisoners with disabilities receive the kind of treatment and services that are required under the federal Americans with Disabilities Act (ADA).

Disabled prisoners neglected

The agreement, reached in May, resolves part of a sweeping federal lawsuit that the SPLC brought against the prison system in 2014.

“This agreement represents an important commitment that addresses the discrimination and hardship these prisoners have faced for far too long,” said Maria Morris, SPLC senior supervising attorney. “Prisoners with disabilities must have an opportunity to serve the sentence they have received – not the sentence they

must endure because the state fails to respect their legal rights.”

The SPLC lawsuit is far from over, however. It also alleges that prisoners are needlessly suffering and dying because the ADOC and its medical provider, Corizon Inc., routinely neglect their medical needs. That part of the case is scheduled for trial in October.

“The Alabama Department of Corrections has known about the medical and mental health care problems in its facilities for years but has refused to address them,” said Lisa Graybill, SPLC deputy legal director. “We look forward to the day we can say the state of Alabama is respecting the constitutional rights of all of its prisoners.”

Highest mortality rate in U.S.

Like many states, Alabama adopted harsh sentencing policies in recent decades and saw its prison population explode. Today, it has one of the nation's highest incarceration rates.

But spending hasn't kept pace. The state has the nation's most overcrowded prisons, operating at nearly double their capacity. Alabama also spends less on health care, per capita, than all but six other states – possibly accounting for one of the country's highest inmate mortality rates.

The lawsuit cites numerous examples of conditions that threaten the health and lives of prisoners:

- A prisoner who had survived prostate cancer had a blood test indicating his cancer

Continued on page 8



The Southern Poverty Law Center's lawsuit against the Alabama Department of Corrections takes aim at improving a system with one of the highest prisoner mortality rates in the country.

SPLC recovers guest worker wages, wins important ruling

MOBILE, Ala. – A federal judge in March ordered a Gulf Coast seafood company to pay \$30,000 to 18 guest workers whose wages were pushed below the minimum wage by their employer, resolving one of the claims in an SPLC lawsuit.

In a separate order, U.S. District Judge William H. Steele ruled that guest workers who faced retaliation after suing their employer, R&A Oyster Company, can take action under the Fair Labor Standards Act (FLSA).

“These important rulings send a clear message that guest workers have rights and that the law will protect them from retaliation when they stand up for those rights,” said Meredith Stewart, SPLC staff attorney. “Too often, they're viewed as disposable workers who have little

recourse when they're cheated or exploited.”

Revoking future visas, or work opportunities, is one of the most common forms of retaliation faced by guest workers when they attempt to defend their rights.

After the lawsuit was filed in 2014, some of the plaintiffs – who shucked and processed oysters in Mobile County, Alabama – took action to withdraw from the suit when they were told they would no longer receive guest worker visas.

Guaranteed minimum wage

The lawsuit's remaining claims, which are still pending, describe how the company failed to pay the prevailing wage for the area, as required under state contract law, and how the company revoked the promise of future

visas from seven plaintiffs after the lawsuit became public.

The back wages awarded to the plaintiffs will be distributed to 18 guest workers who came from Mexico with the guarantee they would not be paid less than the federal minimum wage and the prevailing wage mandated by the H-2B program.

Even before they arrived at their jobs, they incurred expenses – such as the costs for guest worker visas and transportation from Mexico – that were never reimbursed by the company. They were also required to pay for their own equipment, including oyster knives, overalls, gloves and boots. As a result, their wages fell below the minimum pay required by the FLSA and below the mandatory wage for H-2B guest workers set by the federal government.



JESSICA ZAGIER WALLACE

The SPLC has filed a lawsuit against the Collier County School Board in Florida after immigrant youth tried to enroll in high school but were funneled into an adult literacy program with no opportunity to earn credits for a diploma.

SEEKING JUSTICE

Florida county denies education to immigrant kids, sparks SPLC lawsuit

IMMOKALEE, Fla. – Shortly after arriving in South Florida from Haiti last year, Y.M.'s father took him to Immokalee High School to enroll in classes.

But rather than enroll the 15-year-old, school officials said he was too close to his 16th birthday – essentially too old for high school. The family was told to take Y.M. to Immokalee Technical Center (ITech).

After he began classes at ITech, it became clear the school was no substitute for high school. He's attending an adult English program with no instruction in basic subjects. He doesn't receive credits toward a high school diploma. And he cannot participate in any of the high school's academic enrichment or extracurricular activities.

“At ITech I am away from other kids my age,” he said. “I feel isolated and frustrated. I want to take classes in addition to English and interact with my peers. How will I be able to succeed as an adult if I cannot study basic subjects?”

Other immigrant youths at ITech are asking the same question.

G.O. came from Guatemala with hopes of becoming a police officer one day – plans that are in doubt since he's been relegated to ITech. Attending high school would not only provide M.D., another Guatemalan youth, with an education, but allow him to hone his considerable soccer skills.

Ensuring education is critical

Their plight demonstrates the obstacles that many recently arrived immigrant children are encountering as they attempt to get an education.

In May, the SPLC sued the Collier County School Board to help Y.M. and other immigrant youths enroll in school. The federal suit is part of a broader campaign across the Deep South to ensure that schools aren't

illegally shutting out the children of immigrants.

“The Collier County school district is shirking its responsibility to educate these students,” said Tania Galloni, SPLC managing attorney. “An adult English language class is no substitute for a high school education. Collier County has a responsibility under state and federal law to provide these children with a high school education.”

Seeking class action status

The lawsuit, filed on behalf of these three students, aims to enroll them in Immokalee High School and provide them with instruction to make up for the education they've missed. It also seeks a change in district policy to end ongoing violations of anti-discrimination laws. The SPLC is seeking class action status for the suit, which would allow a ruling to benefit other immigrant students.

The issue in Collier County can be traced to a rise in the number of unaccompanied teens coming to the United States in 2013. The Collier County School Board adopted a policy that lowered the maximum age at which a student may enroll if the student is not on track to graduate within two years. Since then, school employees have denied enrollment to recently arrived English language learners who are 16 or older, claiming these students are behind academically.

State law, however, requires that schools take active steps to encourage students who are 16 or older to remain in high school. The Florida Constitution also requires the district to provide a “quality education” to all students. The district has taken no steps to evaluate, assess and create a plan for these students' education, as required under state and federal law.

The lawsuit was filed in the U.S. District Court for the Middle District of Florida.

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Well-known actress leaves legacy of justice at SPLC

Southern Poverty Law Center supporter and Tony Award-winning actress Patricia Elliot, who starred as Renee Divine Buchanan for 23 years on ABC’s “One Life to Live,” passed away in December.

Her philanthropic spirit and passion for equality and justice led to several gifts of support to the SPLC over the years, including a gift annuity that she established in 1999.

Patricia’s estate plans reinforced her legacy here at the SPLC as someone who appreciated, understood and advocated for the fight against hate, but she

Man,” while collecting dozens of other acting credits.

Patricia graduated from the University of Colorado in 1960 and worked at the Cleveland Play House, the Guthrie Theater in Minneapolis and Arena Stage in Washington, D.C., among others.

Pioneer’s spirit, enthusiasm

Born and raised in Gunnison, Colorado, Elliot retained the most enviable characteristics of a tough pioneer woman while making her home in New York City for more than 40 years.

“She was joyful, playful, spiritual, perceptive, mischievous, fiery, passionate and compassionate,” recalled her niece, Sally Fay. “She had a great sense of humor, loved to laugh as well as a sly giggle. And she appreciated the beauty in all things, from great art to simply looking out the window.”

Elliot once wrote to the SPLC that she stood “in awe of your amazing service and that of the vision and person of Morris Dees, to all of who benefit by your care and concern and devotion.

“I am pleased that I can be of service to your incredibly devoted and hard-working organization,” she wrote. “Thank you for taking on the task of causes close to my own heart. My gift is an appreciation of your work as much as anything else.”

Patricia was “extremely passionate and generous in her philanthropy,” her niece said.

The SPLC is honored to have been one of the organizations she entrusted, and we’re determined to ensure her legacy by carrying on the march for justice well into the future.



Patricia Elliot

was best known throughout the country as a vibrant actress of the stage and screen who first took over the daytime drama character of Buchanan in the late 1980s.

She won a Tony Award on her Broadway musical debut – she starred as Countess Charlotte Malcolm in the original 1973 production of Stephen Sondheim’s “A Little Night Music” – and was nominated for her role in the original 1977 production of “The Shadow Box.” She would go on to star opposite David Bowie in “The Elephant

Scroll of Remembrance

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Civil Rights Memorial

SPLC supporting federal ban on debtors' prison

WASHINGTON – The SPLC's campaign to stop the use of modern-day debtors' prisons could get a boost from legislation that would strip federal funding from municipalities that use for-profit probation companies to collect court debt from the poor.

Many low-income offenders end up in jail because they can't keep up with monthly payments to these private companies for traffic fines and other minor offenses. Others end up paying far more than their original fines, and they pay more than people who can afford to pay fines immediately.

"This important federal legislation would help stop the perversion of our judicial system by profiteering companies that extort payments from the poor by threatening jail," said Sam Brooke, SPLC deputy legal director. "Debtors' prison practices and court fee schemes trap the most vulnerable among us in a destructive cycle of debt and incarceration."

"These schemes create an unconstitutional, two-tiered system of justice – one for people with money and another, much harsher one for those without it."

Nearly three dozen civil rights and criminal justice groups joined the SPLC in signing a letter in March urging members of Congress to back

the bill introduced by U.S. Rep. Mark Takano (D-Calif.).

The bill is part of a groundswell of federal action against the unjust – and often unconstitutional – practices that target the nation's poorest populations through court fees.

Debtors' prisons were outlawed almost 200 years ago. And the U.S. Supreme Court ruled in 1983 that it is unconstitutional for judges to send people to prison simply because they are too poor to pay.

Justice tied to purse strings

But, today, as cities and states have defunded their court systems, many municipalities look to their local courts to raise revenue through increased fines and fees. Many have adopted the practice of putting low-income people under the supervision of private probation companies when they can't pay. In reality, it's a scheme designed solely to collect the debt. When offenders miss a monthly payment, they can be jailed for violating the terms of their "probation." The private companies earn their profits by tacking on fees to the monthly payments, making it even harder for the poor to pay.

"This legislation will help ensure that 'justice' is not tied to a family's bank account and that low-income people and communities of color no longer face

the prospect of jail, job loss and financial ruin because of minor offenses such as traffic tickets," the letter states. "We believe this legislation will provide much-needed relief to many poor and working-class families while helping restore faith in the American ideal of equal justice under the law."

National reform needed

Lawsuits by the SPLC and others have exposed the illegal practices of private probation companies. One company, Judicial Correction Services, ceased operations in Alabama in the fall of 2015 under pressure from an SPLC suit alleging that it violated federal racketeering laws.

When Takano's bill was introduced, SPLC client Harriet Cleveland – an Alabama grandmother who was thrown in jail for two weeks when she could not afford to pay her traffic fines to JCS – addressed congressional staffers about her ordeal. She lost her car and house trying to come up with money. An SPLC lawsuit ended with a settlement that changed the city of Montgomery's practices.

"It has to be addressed nationwide so [people] don't have to worry about going to jail because they can't afford to pay," Cleveland said after speaking to 50 staff members gathered in a packed meeting room on Capitol Hill.

Prison conditions to improve for Alabama inmates with disabilities

From page 5

had probably returned, but no follow-up test was given until a year and a half later. By that time, the cancer had spread to his bones and was terminal. He died.

• A prisoner stabbed 15 times with an icepick did not have his wounds cleaned or treated. Instead, he was placed in segregation for three months. He also suffered a cracked lens in his right eye at the county jail where he was held before being transferred to prison. He has been told the lens won't be treated because he still has one good eye.

• The department has a policy and practice of not treating hepatitis C. In April 2014, more than 2,000 prisoners in ADOC custody had been diagnosed with it, but only seven were receiving treatment. A prisoner at Holman Correctional Facility had died of

complications from the disease shortly before the filing.

• Prisoners have been placed under "do not resuscitate" or "allow natural death" orders without their consent or knowledge. Although "do not resuscitate" forms refer only to not resuscitating prisoners experiencing cardiac arrest, the state has relied on them to deny other treatments.

Settlement offers hope

While the SPLC prepares for court, the settlement of the disability claims offers prisoners with disabilities the hope for change.

Under the agreement, which must be approved by a federal judge, the state will provide an adequate number of ADA-compliant cells to house prisoners with disabilities. Some specialized units, including death row cells and infirmaries, will comply with the ADA. Corrections personnel will receive ADA training as part of the agreement.

The state will also implement a system to ensure individuals with disabilities can access programs, including educational, vocational and rehabilitative services. Other provisions include a better system of identifying and tracking prisoners with disabilities and creating a plan to protect their safety during emergencies. A separate grievance and appeal process for ADA issues will be established as well.

Provisions also include appointing an ADA coordinator at each facility and hiring a state-wide coordinator to ensure compliance with the federal law. A monitor will oversee the implementation of the agreement, which was filed in the U.S. District Court for the Middle District of Alabama.

The Alabama Disabilities Advocacy Program, Baker Donelson, and Zarzaur Mujumdar & Debrosse are serving as co-counsel on the case.

HELP SUPPORT FEDERAL RULES TO REIN IN PREDATORY LENDERS

The Consumer Financial Protection Bureau has proposed important new standards to help rein in payday and auto title lenders who intentionally trap low-income and impoverished people in a cycle of high-interest, unaffordable debt.

These commonsense rules would require lenders to either consider a borrower's ability to repay the loan or abide by a set of alternative requirements that eliminate some of the most predatory practices.

This is one of the most important actions the CFPB has taken to protect consumers since the agency was formed in the wake of the financial crisis of 2007-08.

But the industry is fighting back to protect its ill-gotten profits – the billions it drains from local communities.

You can help support these rules by making your voice heard today.

As part of the rulemaking process, the CFPB is collecting comments from the public to support its new consumer protections. You can read the proposed rules and submit your comments to the CFPB at www.stoppaydaypredators.org.

These lenders offer easy money in hard times. They tout their services as a solution for times when budgets are tight and ends aren't going to meet. Their promises of fast money and no credit checks seem too good to be true.

And they are – as borrowers often find out too late.

In fact, the industry's entire profit model is built on lending to people who can't afford to pay off their loans before the lender offers to "roll over" the principal into a new loan.

One study found that, over the course of one year, the average payday loan borrower was in debt for 199 days and took out an average of 10 payday loans. And more than two-thirds of auto title borrowers take out seven or more consecutive loans, according to a new CFPB report.

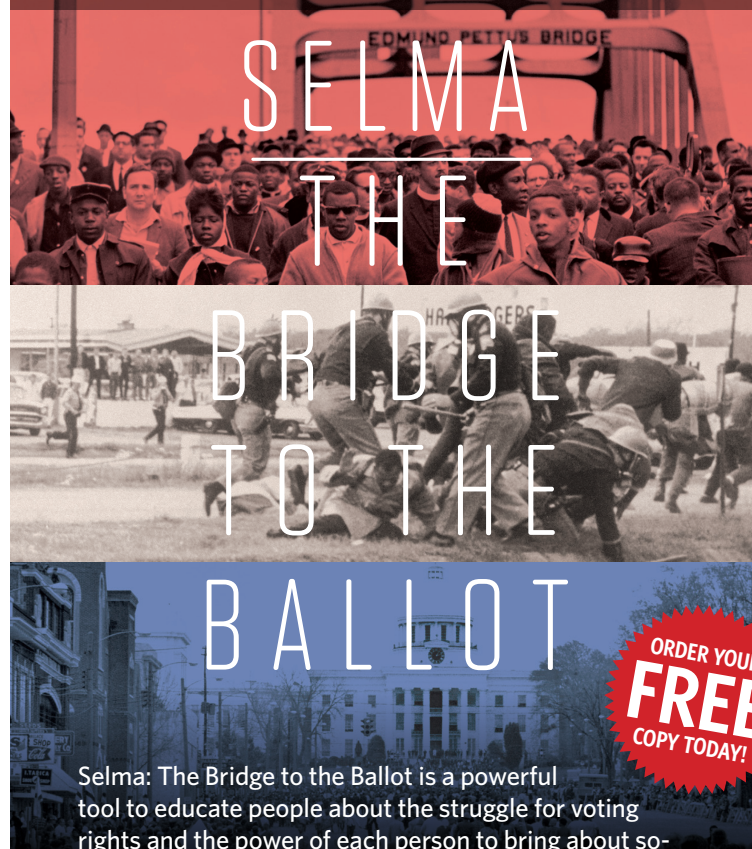
As far as the lenders are concerned, they are ideal customers, guaranteeing a steady stream of profits as borrowers spend months and years simply paying the interest as their loan amounts grow ever larger. As the owner of one payday loan store told the SPLC for a report on predatory lending in Alabama, "To be honest, it's an entrapment – it's to trap you."

The CFPB wants to protect consumers from the debt trap. Please take the opportunity to make your voice heard today.



SUBMIT YOUR COMMENTS TO THE CFPB
stoppaydaypredators.org

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